

Receipt

ATTORNEY DOCKET NO. 626-06-PA

PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of

George SACHS, et al.

Serial No.: 10/080,113

Filed: February 21, 2002

For: COMPOSITIONS, TEST KITS AND  
METHODS FOR DETECTING  
HELICOBACTER PYLORI

Examiner: Unknown

Art Unit: Unknown

Irvine, California

**REPEATED REQUEST FOR  
CORRECTION OF  
ERROR IN FILING RECEIPT**

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington D.C. 20231

**Certificate of Mailing**

I hereby certify that this correspondence is being deposited on  
May 1, 2002 with the United States Postal Service as first class  
mail in an envelope addressed to Commissioner of Patents, Office  
of Initial Patent Examination, Customer Service Center,  
Washington D.C. 20231.

Susan M. Langworthy  
Susan M. Langworthy  
May 1, 2002  
Date

Dear Sir:

On April 1, 2002, applicant, acting through the undersigned attorney filed a request for correction of filing receipt. A copy of this request in its entirety is enclosed herewith.

A "Response to Request for Corrected Filing Receipt" was mailed to applicant's attorney on April 25, 2002. A copy of this response is also enclosed.

The issue raised by applicant's Request for Correction and by the Response of April 25, 2002 is about the number of independent claims in the originally filed application. Prompted by the Response of April 25, 2002, the undersigned attorney has repeatedly reviewed and checked the claims, and confirmed that there are a total of 27 claims with no misnumbering in the sequence of the claims, and that Claims 1, 12, 20, 25, and 26 are independent. This makes a total of 5 independent claims. The filing fee of \$517 was calculated on the basis of this number of claims. Accordingly, the original filing receipt that shows only 2 independent claims, and a filing fee of \$33 is in error. Appropriate correction is requested.

Respectfully submitted,

Date: May 1, 2002

Gabor L. Szekeres  
Gabor L. Szekeres, Reg. No. 28,675

KLEIN & SZEKERES, LLP  
4199 Campus Drive, Suite 700  
Irvine, California 92612  
(949) 854-5502



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

George SACHS, et al.

Serial No.: 10/080,113

Filed: February 21, 2002

For: Compositions, Test Kits And  
Methods For Detecting Helicobacter  
Pylori

Examiner: Unknown

Art Unit: 1645

Irvine, California

**LETTER RE CORRECTION OF  
ERROR IN FILING RECEIPT**Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington D.C. 20231Certificate of Mailing

I hereby certify that this correspondence is being deposited on April 1, 2002 with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, Office of Initial Patent Examination, Customer Service Center, Washington D.C. 20231.

*Maruzzele Castro*  
Maruzzele Castro  
April 1, 2002  
Date

Dear Sir:

The filing receipt issued in this case is in error in that:

1) The amount of filing fee received is incorrect. A check for \$557 was submitted with the patent application (copy enclosed), and;

2) The number of independent claims is listed incorrectly as 2 (it should be 5).

The fee transmittal originally submitted with the application (copy enclosed) correctly shows both the check for \$557 and the number of independent claims as 5.

A corrected version of page 1 of the filing receipt is enclosed.

Please note: If the amount of \$40 (for the assignment recordation) is subtracted from the check for \$557 which was submitted, the filing receipt should show \$517 received as filing fees.

Correction of the filing receipt is respectfully requested.

Respectfully submitted,

Date: April 1, 2002

Gabor L. Szekeres  
Gabor L. Szekeres, Reg. No. 28,675

KLEIN & SZEKERES, LLP  
4199 Campus Drive, Suite 700  
Irvine, California 92618  
(949)854-5502



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/080,113	02/21/2002	1645	433 517	626-06-PA	5	27	25

Gabor L. Szekeres  
Klein & Szekeres, LLP  
4199 Campus Dr., Ste. 700  
Irvine, CA 92612



CONFIRMATION NO. 2815

## FILING RECEIPT



\*OC000000007718586\*

Date Mailed: 03/26/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

George Sachs, Encino, CA;  
Petra Volland, Munich, GERMANY;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 03/26/2002

Projected Publication Date: 08/21/2003

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

Compositions, test kits and methods for detecting helicobacter pylori

Preliminary Class

435

COPY

Case 626-06-PA New Patent Application Transmittal (1 pg) & Fee Transmittal Letter (1 pg in duplicate); Specification (30 pgs); Claims (7 pgs); Abstract (1pg); Drawing (5 sheets); Declaration and Power of Attorney, executed (3 pgs); Assignment (3 pgs) & Recordation Cover Sheet (1 pg in duplicate); Statement to Support Filing and Submission in Accordance with 37 CFR 1.821-1.825 (2 pgs) & Sequence Listing (1 pgs); Diskette w/Sequence Listing; Check for \$557 for fees & Authorization to charge Deposit Account No. 11-1159 for deficiencies

Applicants: George SACHS et al  
For: COMPOSITIONS, TEST KITS AND METHODS FOR DETECTING HELICOBACTER PYLORI

LAW OFFICES OF GABOR L. SZEKERES  
GENERAL ACCOUNT  
4199 CAMPUS DRIVE, SUITE 700  
IRVINE, CA 92612-4888  
(949) 854-5502

FIRST BANK & TRUST  
4301 MAC ARTHUR BLVD.  
NEWPORT BEACH, CA 92660  
90-3913/1222

7502

Feb 21, 2002

PAY TO THE  
ORDER OF

Commissioner of Patents

\$ 557.00

five hundred and fifty seven and 00/100

DOLLARS

MEMO

626-06-PA (Winston Plann.) / filing and assignment fee

Gabor L. Szekeres

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# FEE TRANSMITTAL

## for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 557.00

Complete if Known

Application Number

Filing Date

First Named Inventor

George SACHS et al

Examiner Name

Group Art Unit

Attorney Docket No.

626-06-PA

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number

11-1159

Deposit Account Name

Klein &amp; Szekeres LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.18 and 1.17

- ☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
101	710	201	355	Utility filing fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
114	150	214	75	Provisional filing fee

Fee Paid

370

SUBTOTAL (1) (\$) 370

## 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
27	-20** = 7	9	63
5	-3** = 2	42	84

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 147

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for ex parte reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	390	216	195	Extension for reply within second month
117	890	217	445	Extension for reply within third month
118	1,390	218	695	Extension for reply within fourth month
128	1,890	228	945	Extension for reply within fifth month
119	310	219	155	Notice of Appeal
120	310	220	155	Filing a brief in support of an appeal
121	270	221	135	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,240	241	620	Petition to revive - unintentional
142	1,240	242	620	Utility issue fee (or reissue)
143	440	243	220	Design issue fee
144	600	244	300	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Processing fee under 37 CFR 1.17(q)
126	180	126	180	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))
179	710	279	355	Request for Continued Examination (RCE)
169	900	169	900	Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 40

40

## SUBMITTED BY

Name (Print/Type)

Gabor L. Szekeres

Signature

Gabor L. Szekeres

Registration No. (Attorney/Agent)

28,675

Complete if Applicable

Telephone

949 854-5502

Date

Feb 21, 2002

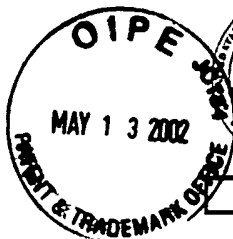
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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC



# UNITED STATES PATENT AND TRADEMARK OFFICE

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UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COM  
UNITED STATES PATENT

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/080,113	02/21/2002	George Sachs	626-06-PA

CONFIRMATION NO. 2815



\*OC000000007962523\*

Gabor L. Szekeres  
Klein & Szekeres, LLP  
4199 Campus Dr., Ste. 700  
Irvine, CA 92612

Date Mailed: 04/25/2002

### RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

#### Claims, Fees, and Inventors

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- ☐ The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- ☐ The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- ☒ The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- ☐ The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- ☐ Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- ☐ The difference between the fees paid and the fees due was refunded to the applicant and will



☐ not be shown on the filing receipt.

☐ The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

☐ The inventor's residence allows for up to 40 characters (letters and spaces combined).

☐ The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).

☐ A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.

☐ Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.

☐ The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.

☐ The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.

☐ The docket number allows a maximum of 25 characters.

☐ The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.

☐ The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

R. BERNE  
Customer Service Center  
Office of Initial Patent Examination  
(703) 308-1202